

# FARMINGTON CITY COUNCIL MEETING

Wednesday, February 27, 2002

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## CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

**PRESENT:** Mayor Connors, Council Members Hale, Hasenyager, Haugen, Holmes, and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman.

**Mayor Connors** began discussion at 6:45 P.M. In attendance were County Commissioner Carol Page, County Sheriff Bud Cox, and representatives of Edwards and Daniels Engineering. The County representatives discussed their request to amend the Inter-local Agreement of 1997 which had placed a cap on inmate capacity (as limited by the amount of beds) for the County Justice Complex located in west Farmington. Sheriff Cox stated the facility was grossly over-populated with inmates sleeping on the floors and in hallways. He asked that the County be allowed through the agreement amendment to maximize the building footprint available on the current Complex property. A discussion ensued including the following points:

- The expansion construction would allow about 400 more beds.
- The County Sheriff stated the jail system is convenient, safe, economical, and wise when it is housed on the same property. Having all the facilities now centrally located in the County Justice Complex saves tax-payers money and time.
- The complex is located in Farmington because Farmington is the County seat.
- The location is ideal for a mass transit station.
- The County has contracted with the Federal Government to house up to 120 federal prisoners. Currently, there are 80 federal prisoners and 20 State inmates.
- Twenty-five to 30 percent of the inmates are what is called ■pre-trial• detainees, people who have not yet gone through the court system. The court system tries to handle such cases as quickly as possible, but ■pre-trial• inmates can be housed for as long as a year before their cases are heard.
- The Justice Center also houses a ■work-release• program.
- Ms. Page invited the City Council to visit the site to gain a better understanding of what is being requested. The Council agreed such a visit would be helpful.
- Discussion of finding another site for the expanded jail revealed that the County's preference was to locate the expansion on the current property for financial and safety reasons. Ms. Page reported that time was limited. Because over-crowding is

an issue, federal agencies may become involved. If the federal government assume responsibility for the jail, neither the County nor the City would have input.

- It was stated that the original bed cap had been placed as a element of the original agreement as a conciliatory act towards the neighbors.
- In response to questions, County officials stated the new expansion would likely be even more secure than the current structures. It would include remodeling of the kitchen, laundry; and visitor areas.
- No guarantee could be given regarding expansion in the future nor regarding building satellite facilities somewhere else in Farmington. However, it was not the current intent of County officials to expand beyond the request for 400 new beds at any future date. There is no room on the current site to build more than what has been requested.
- The Justice Complex has no revenue value for Farmington.
- Mayor Connors stated that the issue needed careful consideration, including giving citizens the chance for input. The City Council also wanted to be mindful of scheduling needs.

### **REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER**

**PRESENT:** Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan Tanner Holmes, Edward J. Johnson, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Deputy Recorder Jeane Chipman.

**Mayor Connors** called the meeting to order at 7:00 P.M. The invocation was offered by David Petersen and the Pledge of Allegiance was led by Max Forbush.

### **APPROVAL OF MINUTES OF PREVIOUS MEETING**

The minutes of the Wednesday, February 6, 2002, City Council Meeting were read and corrected. **Bob Hasenyager** *MOVED* to approve the minutes as corrected. **Larry Haugen** seconded the motion. The voting was unanimous in the affirmative. Minutes for special meetings held on February 2 and 3, 2002, were considered. **David Hale** *MOVED* to approve both sets of minutes. **Ed Johnson** seconded the motion, which pass by unanimous vote.

### **REPORT OF PLANNING COMMISSION (Agenda Item #3)**

**David Petersen** reported proceedings of the Planning Commission meeting held February

14, 2002. He covered the following items:

1. The Planning Commission recommended annexation of approximately 2.52 acres of unincorporated territory into the corporate limits of Farmington City (a portion of the 1525 West right-of-way only) north of Clark Lane and to consider a recommendation regarding the zoning designation for the property described in the petition (A-3-01).
2. The Planning Commission considered the process whereby they will review the City's General Plan, the revision of which they will prepare for consideration by the City Council. Hopefully, the revision can be accomplished by the end of this year.
2. Mr. Petersen reported Rich Haws had contacted him and had expressed an interest in creating a new zone. Discussion of a mixed-use zone ensued. Mr. Petersen requested that the Development Committee of the City Council meet with Mr. Haws to discuss the issue. A meeting was set for March 5, 2002, at 4 P.M. Mr. Hasenyager and Ms. Holmes are members of the Development Committee.

**PUBLIC HEARING: CONSIDERATION OF RESOLUTION AMENDING THE FIRE DEPARTMENT RULES AND REGULATIONS (Agenda Item #4)**

**Mr. Forbush** explained that prior work sessions had been held regarding the amendment of the Fire Department Rules and Regulations. The work sessions were attended by the Mayor, the City Manager, the Fire Chief, and the City Attorney. Input had been received from all members of the Fire Department, inclusive of Fire Department Officers. One major concern by Fire Department officers was that they wanted to have input into the selection of officers in the Department. The City Manager, Fire Chief, and City Attorney strongly felt that the selection of officers should be made by the Fire Chief following a fair selection process. It was the recommendation of the City Manager and City Attorney that the job descriptions previously handed out be reviewed thoroughly by Fire Department members and officers to allow input as to minimum qualifications and selection procedures for each position. When Department members apply for a job or for advancement as an officer, they would have to meet minimum qualifications for the position.

**Mayor Connors** opened the meeting to a *PUBLIC HEARING*. With no forthcoming public comments, he *CLOSED* the public hearing and turned the item to the City Council for consideration.

When questioned, Mr. Forbush stated that all concerns of Fire Department members had been considered. Some changes were not made because of legal and/or administrative reasons. One change made related to designation of department members as *at will employees*. Such employees can be dismissed without reasonable cause. The new draft changed employee status and gave department members a course for appeal.

**Mr. Johnson** referred to comments made in a letter by Glen Parker and asked about specific details. He asked that Sections 6.170, 6.180, 6.220 and 6.240 be re-evaluated as per

Glen Parker's concerns.

**Mr. Forbush** stated any further changes would need to be reviewed by the City Attorney and said he would again review Mr. Parker's suggestions with Lisa Romney.

**David Hale** *MOVED* that the City Council adopt Resolution No. 2002-18, a resolution amending the Farmington City Fire Department Rules and Regulations, making it effective April 1, 2002, with instructions to the City Manager that he consider additional comments made by Mr. Parker in review with the City Attorney and bring back revisions if deemed necessary. **Susan Holmes** seconded the motion which passed by unanimous vote.

**DISCUSSION WITH SHERIFF BUD COX AND COMMISSIONER CAROL PAGE ON DAVIS COUNTY'S PROPOSED EXPANSION OF JAIL FACILITIES IN WEST FARMINGTON AREA/CONSIDERATION OF AMENDED AGREEMENT ON MAXIMUM BEDS AT FACILITY (Agenda Item #5)**

**Mayor Connors** invited Sheriff Bud Cox of Davis County to address the Council.

**Sheriff Cox** reviewed the history of the County Justice Complex. The 1997 inter-local agreement between the County and the City had placed a cap regarding beds in the jail system. Current use of the jail has gone beyond the capacity, proving the cap was not sufficient. The property footprint of the County Justice Complex would allow building twice the amount of housing facility. The Sheriff requested that an amendment to the current agreement be made to allow the maximum build out of the available space. The expansion would allow for 400 hundred more beds.

**Mayor Connors** stated the request would generate substantial interest by citizens. The City and the County were public entities with a tradition of cooperation. The City recognized the need of the County to expand its facility. However, the City also recognized citizen concern and felt a need to create a procedure whereby citizens would be allowed input while still answering to the County's need for quick response.

The officials discussed the feasibility of taking a field trip to the site, including instruction in the administrative functions of the complex. The field trip was set for March 6<sup>th</sup> from 6 to 7 P.M. The Planning Commission would be invited. Sheriff Cox stated there had been slight changes to the draft in the hands of the Council and distributed new drafts.

**TRUCK HAUL ROUTE PERMIT REQUEST/FAK (Agenda Item #6)**

**Mr. Forbush** reviewed the agenda item for the City Council. Flores, Ames, Kramer (FAK) Construction company had applied for a haul route permit wherein they requested use of State Street/Clark Lane at 650 West and the 400 West jug handle, roads which require City permits. They will also be traversing State and Federal highways and the I-15 frontage road. As part of their

project cost, they will restore 650 West north of State Street/Clark Lane and the 400 West jug handle north of State Street. Mr. Forbush noted that the last paragraph of the request stated:

- Trucks may occasionally need to use Glover's bridge and street and 650 West south of State Street. Neither of these roads will be used for designated haul routes.●

Mr. Forbush recommended that the permit be issued with conditions, which he reviewed.

Discussion of the agenda item ensued including the following points:

- An additional condition should be placed on the permit which states that as soon as alternative routes are completed, the trucks routes should be diverted.  
(i.e. The new Burke Lane ramp and the Legacy Highway right-of-way adjacent to the Union Pacific tracks.)
- The permit request was for 3 years and included construction of Burke Lane.
- The current speed limit on 650 West is 35 MPH. It was decided that the trucks should be restricted to 25 MPH in consideration of the residential area and children in the area. The limit should be enforced.
- Although the meeting had not been noticed as a public hearing, Mayor Connors invited comments from the audience. Chadwick Greenhalgh residing on west State Street applauded the City's efforts to keep trucks away from the historic home district.
- The construction company should be asked to keep the roadways clean including adjacent sidewalks, to keep dust to a minimum, and to be judicious in their use of flood lights at night out of respect for nearby residents.
- Mr. Hasenyager questioned if flag men would be used for the safety of the residents. Mr. Forbush stated the permit indicated all safety procedures would be followed, including the use of flag men.

**Larry Haugen** *MOVED* that the City Council authorize the City Manager to issue the permit letter agreeing in concept to the negotiation of the City Manager for the haul route permit for FAK trucks to travel across 650 West north of west State Street/Clark Lane and to use the 400 West jug handle north of State Street and the I-15 frontage road with the following conditions:

1. Nothing in this permit authorizes FAK to use west State Street.
2. If Glover's Lane and 650 West Street are used by FAK either for fueling purposes or

for hauling purposes, the speed limit will be limited to 25 MPH.

3. Should damage occur to either Glover~~as~~s Lane or 650 west, FAK shall take the necessary measures to restore the roads. Damage to the roads would be mutually determined by the Farmington City Public Works Department, the City Engineer, an FAK representatives.
4. No bond or cash payment will be required to guarantee the restoration of any roads damaged.
5. As soon as alternative routes are completed, the trucks routes shall be diverted from City streets (i.e., the Burke Lane ramp and the Legacy Highway right-of-way.)
6. The construction company will be asked to keep the roadways clean including adjacent sidewalks (400 West), to keep dust to a minimum, and to be judicious in their use of flood lights at night out of respect for nearby residents.
7. All safety issues shall be incorporated, including the use of flag men.

**Bob Hasenyager** seconded the motion, which passed by unanimous vote.

**LIBRARY PARKING PROBLEMS/PROPOSED SOLUTIONS BY PETER GIACOMA**  
**(Agenda Item #7)**

**Mr. Forbush** stated problems had been noted regarding parking a the County Library Building. Both the City Manager and the Farmington City Police Department recommended posting one-hour parking limits signs in front of the library to eliminate the problem.

**David Hale** *MOVED* that the City Council authorize City Staff to post ■one-hour parking limit• signs in front of the library and for the City Police to enforce the parking restriction with the understanding that enforcement would only be initiated at the request of the Davis County Library staff. **Larry Haugen** seconded the motion. The motion passed by unanimous vote.

**REQUEST FOR GATE ACROSS PUBLIC WALKWAY AND OTHER MATTERS**  
**RELATING T RECONSTRUCTION OF FENCE ON EAST SIDE OF CREEKSIDE**  
**ESTATES NEAR GLOVER~~as~~S LANE AND 200 EAST/LAUR AND PAULA BARKER**  
**(Agenda Item #8)**

**Mr. Forbush** stated recent installation of the water line along 200 East had caused damage to fences and landscaping along the way. He had met with Laur and Paula Barker and recommended the installation of a 4-foot high gate across the public access way near Davis Creek as long as there is a sign attached to the gate which says ■Public Access.• It was imperative that the public trail not

be impeded, but that the public be invited to use the access from 200 East into the Creekside Subdivision. Mr. Forbush discussed other needed repairs, including replacement of sidewalk along 200 East to exclude a weed strip next to the fence.

**Mr. Hasenyager** commented that the neighbors had been very patient with the events and deserved to have the improvements made as quickly as possible.

**Ms. Holmes** stated the public access opening for the trail system should be signed so as to encourage use of the public trail.

The City Council agreed by consensus that the City Manager should be authorized to do the following:

2. Purchase a 1 - inch to 2 inch tree for the Barkers;
2. Arrange to have the fencing contractor construct and install a four-foot high gate for the public access entrance; and
3. Approve the following other matters as suggested by Mr. And Mrs. Barker in their letter dated February 12, 2002: (1) Authorize his landscaper to restore yard, including sprinkler system, curbing, bark, etc.; (2) Jog the fence to exclude utility boxes from his yard at the south end; and (3) Set up meeting with property owners and fence contractor.

#### **MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #9)**

**Larry Haugen** *MOVED* to approve the following items by consent as follows:

4. Ratification of construction bond agreements previously signed by Mayor Connors.
5. Approval of January's disbursement list.
6. Approval of Supplemental Lease Agreement with Federal Aviation Administration (FAA). In 1997 the City began leasing a small parcel of property adjacent to the 2 million gallon water reservoir at 600 North and 100 East for the parking of the Federal Aviation Administration's road grader. The FAA several years ago wanted a place for parking this vehicle. It is used during the wintertime to clear snow from Farmington Canyon Road to the radar towers. Previously the patrol was parked at the old Guard Station at 100 East and 300 North. When the City purchased the old Guard Station and resold the property, the FAA had to find a new location. Hence, the original agreement between the City and FAA. Please note that the City is currently collecting \$2,250 per year on leasing this tiny parcel of ground. That

amount expands to almost \$2,600 per year effective October 1, 2002. This Supplemental Lease Agreement has been reviewed by the City Attorney. He is satisfied with the agreement.

- 9-4 Approval of Police Chief's request for a change in the budget originally approving the purchasing of equipment. City policy stipulates that Department Heads need Council approval before changing budgetary intent on purchasing capital items. The Police Chief is requesting that \$4,000 originally authorized for a vehicle video camera be used instead for computer upgrades for the Chief and Lieutenant's offices and for the dispatch area. The need for the video camera disappeared when Lieutenant Whitaker was able to secure two cameras from the Utah Highway Patrol at no cost to the City.

**Ed Johnson** seconded the motion which passed by unanimous approval.

**U.S. 89/LEGACY PROJECT REPORT/NEGOTIATIONS WITH UDOT, MAYOR CONNORS, PAUL HIRST AND MAX FORBUSH (Agenda Item #10)**

Packet material indicated that Mayor Connors, Paul Hirst and Max Forbush had been meeting with Byron Parker and Todd Jensen of the Legacy Team to discuss the planned U.S. 89 expansion of the Legacy Project. That expansion calls for the improvement of 89 from Burke Lane to the Cherry Hill interchange. The improvements call for two one-way frontage roads—one on the east going northbound and one on the west going southbound. The plan effects ingress and egress at the City commercial center, i.e., Smith's and Kmart and associated businesses.

The Mayor and City Manager had also met with Lew Swain of the Boyer Company and with Smith's. The Mayor and City Manager had met with Mark Burton, the Senior Vice-President for Price Legacy Corporation, who now own the Buie site. They are being assisted in their development potential by retail real estate experts, Herman Franks and John Owens. Mr. Burton and his real estate experts recently participated in a meeting with UDOT to determine who should pay for the proposed tunnel under U.S. 89 south of Shepard Lane. Representative Marda Dillree was at the meeting.

Due to time constraints, the Mayor and City Manager had authorized Horrocks and Associates to do a more detailed study regarding what impact the tunnel would have as far as benefitting UDOT and the City.

On a large map of the Shepard Lane area, **Paul Hirst**, City Engineer, demonstrated the proposed plans for the frontage roads, underpasses, and on/off ramps which were planned for access to the existing commercial area of the City (Kmart and Smith's).

**Mayor Connors** stated the City would not initiate development plans or road circulation designs but would respond to requests by property owners and developers. The City is trying to



preserve the Smiths store because of its tax-based revenue. There may have to be striking changes in order to save Smiths. Because these U.S. 89 improvements are being designed right now, the City is trying to provide its best input to protect the City's interest.

**Mr. Forbush** said UDOT has announced their intention to use Centennial Highway funds for the U.S. 89 improvements originally allocated to the Legacy Highway which is under orders of a stay issued by the 10<sup>th</sup> Circuit Court of Appeals. The stay has changed the time line for completion of the Legacy Highway and is permitting the advancement of funds for the U.S. 89 project.

**Mayor Connors** stated UDOT indicated they may look to the City to fund part of the proposed underpass. The City has responded that the underpass would not constitute a convenience or luxury for Farmington but be a measure to save critical tax base for the City. Farmington has asked traffic engineers to demonstrate to UDOT that the underpass will mitigate heavy traffic at Burke Lane which would prove to be a regional benefit to the Federal Highway system.

**Mr. Forbush** said that UDOT officials had not been totally convinced of the regional benefit, therefore the Mayor and himself had asked Horrocks Engineers to conduct a more detailed study, the cost of which would be \$15,000. The study was demanded by UDOT.

**Mayor Connors** indicated the study needed to be completed and reviewed by the Council before the end of next week at which time UDOT would be making their final determination. The time limit was the reason the Mayor had Horrocks begin their study as early as possible. He said Horrocks had felt it was likely they could prove Farmington's case. Farmington has no funding with which to build the underpass. It is hoped that UDOT will carry the cost of the tunnel until such time that Farmington could pay back the expense, most likely through development of the area most serviced..

**Mr. Forbush** reminded Council members that during the last City Council meeting, Mr. Hasenyager raised legitimate concerns regarding land use in the area of the proposed underpass. He said that in meetings with retail experts, they indicated consumers for commercial retail areas will come from the east bench, along U.S. 89 thus making such endeavors better placed east of I-15. The tunnel would be critical to success of commercial enterprises as would the right turn off the exit going southbound just beyond Shepard Lane..

**Mayor Connors** said another issue needing to be addressed was the commuter station location in Farmington, which officials felt essential.

**Mr. Hasenyager** reiterated his concerns for the benefit of the Mayor, who had not been able to attend the last City Council meeting. He made the following points:

- There has already been conceptual approval for 200 acres of commercial development within the boundaries of Farmington City.

- The question needs to be answered regarding how much commercial development can be supported by the City and how much is needed as tax revenue to support City needs.
- If the City pushes for the underpass as described, it will be guaranteed that commercial businesses will develop east of I-15.
- There is a serious question whether or not citizens would support that much commercial development. Mr. Hasenyager was not sure the City should support the 5 million dollar underpass.

**Mayor Connors** felt that Mr. Hasenyager made valid points, and that the decisions must be made within the next two weeks. He stated the need to be pro-active in the decision and not make it by ignoring the situation and letting UDOT design without City input.

**David Hale** stated his opinion that there indeed is a need for commercial development in the City to expand its tax base. He also felt that constructing a barrier east/west on Shepard Lane would seriously hamper businesses along the road, including Kmart. He felt it would be imprudent to not to push for the underpass. There could be several good land uses for the area around the tunnel. He believed the \$15,000 to finance the more detailed traffic engineering study required by UDOT was a good investment.

**Ed Johnson** stated he believed the raised road at Shepard Lane (25 to 30 feet) would impact the area for use as residential property in a negative way. There was a need to explore all options. He too gave the opinion that the \$15,000 expenditure was a good investment.

**Mr. Hale** believed there would still be City control regarding the development of the area because of zoning and conditional use restrictions.

**Mr. Hasenyager** stated that if the underpass is built, it would guarantee the development of commercial use on both sides of U.S. 89 south of Shepard Lane.

**The Mayor** felt the City should try to protect Main Street in the area, but that doing so would be a challenge. An area of buffering should be considered. The area of Burke and Main needs to be protected.

Richard DeJong, a nearby property owner, commented that the height of the freeway at that point would provide a noisy situation for surrounding areas. Commercial buildings may provide sound buffering for residents.

**Mayor Connors** said officials were not ready to do detailed planning for the area, however, the larger picture needs to be considered and road designs planned for the best of the City. The type

of land use will be determined by the transportation decisions being made.

**Mr. Hasenyager** expressed strong concerns that the citizens of Farmington be given the chance to give input on this critical issue. He felt some frustration at not having citizen input on these types of issues which continue to face the City.

**Mr. Hale** commented that the Planning Commission is now in the process of revising the General Plan which would include many of the issues being discussed. During that revising, citizen input would be gathered.

**Mayor Connors** stated that not all available developable land should be used for commercial endeavors.

**Mr. Hale** said that increasing taxes to fund City needs may be more distasteful to citizens than commercial development.

**Mayor Connors** asked the Council whether or not they could ratify the decision to spend the \$15,000 it would take for Horrocks to complete the traffic study.

**Mr. Hasenyager** asked where the funds would be taken from and what City projects would need to be sacrificed if the expense was approved.

**Mr. Forbush** reviewed possible sources for the monies, including the City's share of the payback raised to fund the Olympics which should reach the City by mid-March.

**Susan Holmes** *MOVED* that the City Council ratify the Mayor's decision to hire Horrocks Engineers to conduct the extended traffic study regarding regional benefits created by the construction of the proposed underpass up to but not to exceed \$15,000. Ms. Holmes also asked that impact fees from the development of the area in the future be considered for repayment of the expense at a later time. **David Hale** seconded the motion, which passed by a 4 to 1 vote. Mr. Hasenyager opposed the motion.

#### **STRATEGIC PLANNING MEETINGS/ ALTERNATIVE DATES (Agenda Item #12)**

**Mayor Connors** asked that agenda item #12 be considered next because of its relevance to the agenda item #10. There was a need to continue the strategic planning started by the Council during that recent working retreat. After discussion, it was decided that working sessions would be conducted on March 6, 2002, starting at 6 P.M. and on March 23, 2002, beginning at 7:30 a.m..

**Mr. Forbush** indicated he had compiled a list of possible broad action goals for discussion. Discussion ensued including the following points:

- The City Council decided to take Mr. Forbush's list and prioritize their top five topics.
- Discussion was conducted regarding retaining Randy Hunt to continue his work in helping the City to develop a strategic plan.
- Council members asked that an agenda be provided prior to the work sessions so they could come prepared to discussion chosen topics.
- No executive staff will be included in the work sessions.

**LEISURE SERVICES/PUBLIC WORKS BUILDING COST OVERRUNS/RECOMMENDED COURSE OF FUNDING (Agenda Item #11)**

**Mr. Forbush** reviewed the agenda item for the City Council. Cost of the Leisure Services/Public Works Building showed budgetary overruns. Mr. Forbush stated the overruns could be covered by use of Park and Recreation impact fees and explained the rationale for doing so. Rationale included:

1. Farmington City has greatly expanded the office space and storage space for Leisure Services in the new building. Also, the Parks Department storage space is newly created with the construction of the storage building. This will be used primarily by the Parks Department.
2. With the use of these Park & Recreation Impact Fee Funds, the City will be able to cover these costs overruns, finish the facilities as they should be finished without having to borrow more money. There is a list of items that have been added to the project which the City Council should approve. The City Manager believed all added items were necessary for satisfactory operations of the building. Additions included:
  - The construction of a mezzanine in the new storage area which adds approximately 1,000 square feet of valuable storage space in the upper area of the storage building. It can be used for storing supplies that the City Parks Department uses infrequently.
  - The electric gate which is a security measure for keeping unauthorized personnel going in and out of the Public Works yard. Some times other City employees like Police or Fire people forget to lock fences. The electric gate is a method for making the area more secure.
  - Additional pavement is being added to the project to reduce tracking out onto City streets, to keep the yard a little cleaner in and around the fuel tanks and

in an area where trucks and sanders can be washed outside of the building.

In order to use the park and recreation impact fees on City parks and Leisure Services facilities, the Council would have to amend the City's capital facilities plan. The recommendation had been reviewed by the City attorney.

**Bob Hasenyager** *MOVED* that the City Council authorize the City Manager to take the necessary steps to move forward to cover the cost overruns in the Leisure Services/Public Works building as proposed in his memo of February 27, 2002, including the additional items discussed and including scheduling and notice of a public hearing regarding the issue. **Susan Holmes** seconded the motion, which passed by unanimous vote.

**CONSIDERATION TO END LEGAL SERVICES WITH WILLIAMS AND HUNT OVER GRAVEL PIT ISSUES (Agenda Item #13)**

Responding to questions, **Mayor Connors** stated the law firm would keep records and information collected to date. They would be able to pick up where they left off if necessity dictated.

**Ed Johnson** *MOVED* that the City Council authorize the City Manager to send a letter to Jody Burnett advising him that the City Council of Farmington has decided to end their services for the time being. **David Hale** seconded the motion, which passed by unanimous vote.

**WEST FARMINGTON STREET DEDICATION PROJECT/1100WEST 450 SOUTH AREA (Agenda Item #14)**

Packet material indicated that the City Manager had been working on a plan to permit several lot owners the opportunity of having buildable lots that front an undedicated street right-of-way. This can only be done by a street dedication plat. Staff had spoken with these property owners, and the majority of the property owners are willing to dedicate a public street; two are not. Chris Swedin on the west end of the undedicated street and Kent Gines on the east end. The area is a problem area that was annexed by the City. At present none of the lot owners can build a house where they are not fronting a dedicated public street. The plan is to obtain a dedicated public street, create a special improvement district, improve the streets that would increase property values but also require the payment of debt for the public street and curb, gutter, sidewalk, etc.

The City Manager and City Planner had been in meetings with Bruce Johnson, one of the property owners west of the terminus of the existing right-of-way and adjacent to 1525 West. The intent of the meeting was to encourage development in order for the street to go through to 1525 thereby permitting the installation of storm sewer piping to the wetlands. After several discussions about the feasibility of extending the street over and across his property to 1525 West, he has sent back a letter that he is not interested in doing anything. Presently the sanitary sewer extends to the

pump house adjacent to 1525 West. Since Mr. Swedin does not want to dedicate a public street, there is a necessity of swinging this road to the north running the road adjacent and north of the Swedin property but onto property owned by James Dixon and Matthew Johnson.

Mr. Forbush asked if the Governing Body would be willing to condemn a storm sewer easement across the Bruce Johnson property. Storm water collected on the proposed improved street would likely flow to the west end. It should be conveyed by pipe from the end of the street west across the Bruce Johnson property into a wetland drainage corridor.

The City Council discussed the issues involved and gave Mr. Forbush direction concerning the agenda item. Although Council members were all reluctant to implement condemnation proceedings, some felt given no option it may have to be done in order to allow citizens to develop their property. It was commented that the citizens had been waiting many years in order to build on their land. The consensus of the Council was to direct Mr. Forbush to move forward in trying to solve the problems relative to the sewer and access right-of-way access.

#### **KAYSVILLE MASTER ANNEXATION POLICY REVIEW (Agenda Item #15)**

**Mr. Forbush** reviewed Kaysville's proposed Master Annexation Plan Map with the City Council. Kaysville had marked the area owned by Jim Lyons and LeeAnn Evans, currently annexed into Farmington, as one of the areas that should be in Kaysville. Kaysville had also indicated an area northeast of the Lyons's property and on the north side of Haight Creek as planned for future annexation. Mr. Forbush was instructed to let Kaysville know of Farmington's objections to these two areas. Comments were made by Governing Body members that property owners should have preference as to which City they want to be annexed to.

#### **CONSIDERATION OF LEISURE SERVICE DIRECTOR'S RECOMMENDATION FOR SWIMMING POOL POLICY CHANGE REGARDING BENEFITS TO POOL STAFF (Agenda Item #16)**

**Ed Johnson** *MOVED* that the City Council approve Viola Kinney February 11th recommendations for Swimming Pool Policy Change regarding Benefits to Pool Staff as presented. **Larry Haugen** seconded the motion, which passed by unanimous vote.

#### **ARCHITECTURAL SERVICE RECOMMENDATION FOR BRASS COMB, CELEY BAUM HOUSE, AND CITY MUSEUM STRUCTURE IMPROVEMENTS/OTHER RELATED ISSUES/LARRY HAUGEN AND MAX FORBUSH (Agenda Item #17)**

Packet material provided information regarding improvements for the Brass Comb, the Celey Baum house, and the Museum. A handicap entrance will need to be constructed from the east

parking lot directly into the north side of the building.

Council Member Larry Haugen, Annette Tidwell and the City Manager met with representatives from the State Historic Preservation Office and a local contractor to discuss possible scope of work for the project. During this meeting, it was a consensus of all present that the scope of work for the project should include:

1. ADA accessible rest rooms
2. ADA accessible ramp and entrance from the north side.
3. Painting and general remodeling on the inside of the building.
4. Replacement of the overhead doors on the east end of the building, one with regular swing door and the other with a new overhead garage door.
5. Improvements to the center bay to permit more display area.

The City Manager sent out a request of proposal for architects to do the work on the Celey Baum property and the Brass Comb. Proposals were reviewed by Max Forbush, Larry Haugen, and Annette Tidwell. The City Manager recommended the work be awarded to Butler & Evans Architects and to add to the project work on the Tithing Office.

The estimated cost for work on the Tithing Office could be as much as \$25,000 or more. The City has about \$14,000 in fund raising proceeds for the museum. The City has applied for a \$5,000 grant from State History and will likely receive it. To do the right restoration work, it may take more money than what is in the account for the museum or for what can be obtained from the grant. The City Manager's recommendation is that we hire the architects, have them do a request for proposals on all of the buildings and see what kind of bids we end with before a final decision is made.

The City Manager did receive an application for funding through State History for its Main Street Grant Program. This is a \$5,000 grant also. The City Manager intends to apply for those funds to be used either on the museum or on the restoration of the Celey Baum house.

**Larry Haugen** *MOVED* that the City Council authorize the City Manager to proceed as discussed. **Ed Johnson** seconded the motion, which passed by unanimous vote.

## **MISCELLANEOUS**

### **Road Repairs and Tree Trimming**

Several members of the Council reported road repair needs in the following areas: south bound traffic on the off ramp of I-15, Lagoon Lane heading north, Main Street near 6<sup>th</sup> North, Lund

Lane, and Oakridge roads. **Mr. Haugen** stated a tree on the Rich Hall property needed to be trimmed for safety reasons.

### **City Manager Concerns**

**Mr. Forbush** asked for direction concern the buy back of several City cemetery lots for \$25 each. The Council approved the action.

The Council had been invited to events of the Paralympics and a Tool Box session of Envision Utah. The Tool Box session will be held in the City Offices on March 13, 2002.

Mr. Forbush reviewed Sue Bryce's recommendation to write to the various churches in Davis County inviting them to give invocations at City Council meetings. The intent of this invitation is to broaden diversity and encourage local ministers to sign up for giving prayers at meeting times most convenient to them. All Council Members approved the recommendation by consensus.

### **Statue Display**

**Mayor Connors** reported the display of the statue of Founding Fathers in the Nation's Capitol has been delay. He asked if the Council would like to display the statue in the foyer of the City Offices until its removal to Washington D.C. The Council by consensus approved.

### **ADJOURNMENT TO CLOSED SESSION**

**David Hale** *MOVED* that the meeting go into Closed Session at 11:25 P.M.

**Larry Haugen** moved to go back into open session at 11:40 p.m. **Susan Holmes** seconded the motion with all voting in favor.

There being no further business at 11:40 p.m. **Larry Haugen** moved to adjourn the meeting.

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Margy Lomax, City Recorder  
Farmington City